



ADJUSTMENT REVIEW – /WQ
WATER QUALITY OVERLAY ZONE ADJUSTMENT

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541) 682-5377, 99 West 10th Avenue, Eugene.

Table with 3 columns: Assessor's Map, Tax Lot, Existing Zoning. Header: List all Assessor's Map and Tax Lot numbers of the property included in the request.

Which of the following adjustment provisions is being requested, pursuant to EC 9.8030(25)?

- (a) Applicable Setback to Limit /WQ Management Area to 33% of Development Site
(b) Applicable Setback Due to Development Constraints, or
(c) Adjustment to Allowed Uses or Development Standards; if so, which use or standard?

Associated pending Land Use Application or Building Permit numbers: _____

Has an adjustment to the /WQ Management Area been approved previously for the subject property?

Filing Fee

A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Application Preparation Requirements

Unless waived by the planning director:

- An application for adjustment review under EC 9.8030(25)(a) and (b) shall be prepared by one or more of the following professionals:
1. Oregon licensed architect;
2. Oregon licensed civil engineer;
3. Oregon licensed landscape architect; or
4. Oregon licensed land surveyor

- An application for adjustment review under EC 9.8030(25)(c) shall be prepared by one or more of the following professionals:
1. Oregon licensed architect;
 2. Oregon licensed civil or geotechnical engineer;
 3. Oregon licensed landscape architect;
 4. Oregon licensed geologist;
 5. A professionally trained botanist, biologist, ecologist or geomorphologist; or
 6. A creek restoration specialist with a bachelor's degree in the subject field and at least 5 years of applied experience in botany, biology, ecology, geomorphology or a closely related field.

Submittal Requirements

Provide 3 paper copies and one CD copy of all application materials (i.e. written statement, site plans, etc.) in pdf format at the time of initial submittal. Please note that it is the applicant's responsibility to make sure that the CD and paper copies are identical. Following completeness review, an updated CD and additional paper copies may be required. All site plans must be folded to a size equal or less than 11" x 17".

Written Statement

- Submit a detailed written statement describing how this request is consistent with all applicable criteria beginning at Eugene Code Section 9.8030(25). *Please note: it is the applicant's responsibility to provide adequate information demonstrating how the project satisfies the applicable approval criteria. Failure to provide such information may result in denial of the application.*
- When required by these provisions, submit a certification signed by a professional referenced in EC 9.4782(2) that, based on the city's Water Quality Function Rating System, the realignment will result in a water quality function rating equal to or greater than previously existed.

Site Plan Requirements -- General

- Show date, north arrow, Assessor's Map and Tax Lot numbers.
- The site plan must be prepared at a scale sufficient for showing the details as described below, using a standard engineer's scale.
- Show a vicinity map on the plan. (Vicinity map does not need to be drawn to scale.)
- Show parcel lot lines and dimensions of the subject property and those abutting the site.
- Show existing and proposed contours at one of the following intervals using the North American Vertical Datum of 1988 (NAVD 88):
- One-foot contour intervals for ground slopes up to five percent.
 - Two-foot contour intervals for ground slopes between five and ten percent.
 - Five-foot contour intervals for ground slopes exceeding ten percent.
- Delineate the following information, on the site plan, from the adopted Water Quality Waterways Map:
- The waterway channel and applicable setback
 - The setback measurement point (waterway centerline or top of high bank)
 - The /WQ Management Area

- Delineate any /WR conservation area on the subject property.
- Show the square footage of the subject property and the percentage of the site that is occupied by the /WQ Management Area and /WR conservation area.
- Show existing and proposed setback. Provide dimensions and areas for existing and proposed.
- Show the footprint and location of existing and proposed buildings and other structures. Indicate whether the existing structures will remain or be removed.
- Identify all refuse, toxics, fill, unauthorized auto bodies, or similar materials in the /WQ Management Area and indicate whether removal of those materials is proposed.
- Show any areas excluded from the lot's Water Quality Management Area pursuant to EC 9.4778.
- Show existing and proposed streets, parking, walkways, and other impervious surfaces. Indicate proposed paving material.
- Show existing and proposed utilities.
- Show all proposed grading for streets, building areas, and other proposed development; show location of any proposed fill or excavation.

Resource Sites and Other Natural Features

The following information is needed for contextual information rather than substantive information subject to the Adjustment Review process. The applicant is responsible for addressing other applicable regulations specific to the designations of the following.

- List any rare, threatened or endangered plants (those that are proposed for listing or are listed under State or Federal law), found on the development site, and indicate whether those occur within the area of proposed disturbance. Show the area of proposed disturbance (e.g. area of grading, vegetation removal).
- Indicate any other wetlands identified on the Eugene Local Wetland Inventory.
- Indicate any other wetland buffer or waterway overlay zones (i.e. /WB and /WR).
- Indicate any other areas designated as natural resource areas in any City-adopted natural resource inventory.
- Show the location, species and size of all existing and proposed vegetation.
- Indicate location and means of ensuring adequate protection for newly planted conservation areas (e.g. irrigation, temporary fencing, etc.).
- Show means of protecting existing vegetation outside of the area of disturbance and within /WQ management areas.
- Show the "critical root zones" (as defined in Eugene Code Section 9.0500) for trees to be preserved within the /WQ management area, and provide supporting information that preserved trees will not be impacted so as to constitute "tree removal" as defined in Eugene Code Section 9.0500.

Water Quality Function Rating System

Pursuant to EC 9.4782, when EC 9.8030(25) requires the submittal of a certification, report or determination based on the city's Water Quality Function Rating System, the following provisions apply.

- In addition to the general site plan requirements stated above, include the following:
 - Show existing uses or activities within the lot's Water Quality Management Area, including the dimensions and area of those uses or activities (field or aerial photo verified).
 - Show existing uses on the lot location outside, and within 50 feet of, the Water Quality Management Area (field or aerial photo verified).
 - Show existing trees, shrubs, and other low-level plantings (e.g. forbs, grasses, rushes and ferns) within the lot's Water Quality Management Area, including extent of cover, species compositions, and distribution (verified with site photo looking up or downstream at the waterway or aerial photo.)
 - Location of existing indicators of streambank instability and streambed downcutting (field verified) on the lot, if applicable.

- As part of a Water Quality Function Rating System certification, report or determination, the preparer shall submit a completed Water Quality Function Rating Table. The Table shall use the methodology prescribed by Administrative Order No. 58-09-07-F.

- As part of a Water Quality Rating System certification, report or determination, the preparer shall submit a written report based on the site plans and Water Quality Function Rating Table certifying that after the proposed use, activity or adjustment is in place, there will be a water quality function rating equal to or greater than that which existed before the use, activity, or adjustment.

Supporting Analysis and Documents (Submit 3 copies)

- The applicant is responsible for meeting State/Federal wetland requirements. Submit a wetland determination and a letter of acceptance of the determination from the Oregon Division of State Lands (ODSL) and if necessary, a wetland delineation report for potential wetlands identified on the Eugene Local Wetlands Inventory (LWI) maps, Wetland Determination reports, or other sources which indicate the potential presence of wetlands.

- Additional information may be necessary depending upon individual site conditions, to demonstrate compliance with applicable development standards beginning at **EC 9.4790**. Such additional information may include more detailed information on vegetation, soils, hydrology, and slopes.

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

OWNER (Also the Applicant? Yes / No):

Name (print): _____ Phone: _____

Address: _____

City/State/Zip: _____

Signature: _____

APPLICANT / **APPLICANT'S REPRESENTATIVE** (Check one):

Name (print): _____

Company/Organization: _____

Address: _____

City/State/Zip: _____ E-mail (if applicable): _____

Phone: _____ Fax: _____

Signature: _____

NOTE: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the required criteria of approval.